THE HON'BLE SRI JUSTICE B.PRAKASH RAO

AND

THE HONBLE DR.JUSTICE G.YETHIRAJULU

–

WRIT APPEAL NO.1824 OF 2005.

Between

1.Andhra Pradesh State Road Transport Corporation,

rep. By Vice Chairman & Managing Director, Mushirabad,

Hyderabad and another.

….Appellants

And

B.Uday Kumar, son of Mohan Rao,

21 yrs, r/o B.P. Colony, Kanehili Post

and mandal, Srikakulam district.

…Respondent

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JUDGMENT (Per Sri B.Prakash Rao, J)

Heard both sides and at their request, the main appeal itself is taken up for disposal at the admission stage.

The appellants, which is the corporation seeks to assail the order allowing the writ petition at the instance of the respondent whereunder the learned single Judge directed to consider the case of the writ petitioner for compassionate appointment.

There is no dispute with regard to the fact that the father of the writ petitioner was working as a driver and he died on 28-02-2002 while he was in service leaving behind him his family members including the writ petitioner. Therefore, he sought for compassionate appointment.

By taking into consideration the objections raised and especially in terms of the circular No.PD-30/2000, dated 05-05-2000, the learned single Judge disposed of the writ petition directing the respondents to consider the case of the writ petitioner and if necessary by making necessary relaxation in regard to the age.

Having heard the learned counsel and on perusal of record, it now transpires that the power of relaxation as recommended in the circular has not been approved. Therefore, no such power is vested with the appellants corporation. In the circumstances, the learned counsel for the respondent submits that he is prepared to accept the post of Shramik in place of another post which he sought earlier and for that there cannot be any objection since the minimum age required is 18 years. The learned Standing Counsel for the appellants also expressed that there cannot be any objection for such consideration.

Accepting these submissions from both sides, the writ appeal is disposed of directing the appellants to consider the case of the respondent for appointment to the post of Shramik on compassionate grounds and pass orders in accordance with law. No costs.

B.PRAKASH RAO, J

Dated: 04-10-2005.

G.YETHIRAJULU, J

Hsd

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